

Proposed State Mattress Recycling Baseline & Goals

August 15, 2017 Workshop

Summary

On or before January 1, 2018, CalRecycle is required to establish, in consultation with the mattress recycling organization, the state mattress recycling baseline amount and state mattress recycling goals. CalRecycle may review and update the state mattress recycling baseline and goals, as necessary, beginning July 1, 2020. The purpose of this workshop is to gather public comments and input on the draft staff proposal for the development of the state baseline amount and recycling goals to be effective January 1, 2018 ("2018 baseline and goals").

Proposed 2018 State Mattress Baseline & Goals

Staff propose that the 2018 recycling goals focus on year-over-year increases in the number of units recycled and ensuring that the number of units renovated is maintained and not adversely impacted by the program. Staff anticipate that additional goals such as illegal dumping, source reduction, and a recycling rate will be evaluated as part of the 2020 baseline and goal-setting process.

CalRecycle's ability to establish a recycling rate based on a denominator of total used mattresses that are available for reuse/recycling/renovation currently is significantly limited by data gaps and data quality challenges from the 2016 used mattress renovator¹, recycler², and solid waste facility³ annual reporting year (see "Data Collection to Support Development of Baseline and Goals"). 2016 was the first reporting year for mattress renovators, recyclers, and solid waste facilities, and staff are continuing a number of education and outreach activities to reduce data gaps and improve data quality in subsequent reporting periods. Therefore, staff do not propose utilizing the first-year actual reported data as the baseline to set a recycling rate. Staff also recommend waiting until 2020 to consider goals for items such as illegal dumping and source reduction.

The table below presents CalRecycle staff's draft proposed 2018 mattress recycling goals and corresponding baselines, defined as follows (See Appendix 1 for additional definitions):

2018 State mattress recycling baseline – The number of units recycled through the program in 2016, as reported in MRC's first annual report.

2018 State mattress recycling goals – Year-over-year percentage increases documenting progress towards meeting the established goals.

Staff note that in preparation for the subsequent baseline and goal-setting opportunity in 2020, the Department will review and update the recycling baseline amount and goals discussed herein, which

¹ "Mattress renovator" is defined in statute as, "a person who renovates used mattresses for the purpose of sale, or offering for sale, in this state"

² "Recycler" is defined in statute as, "a person that engages in the manual or mechanical separation of mattresses to substantially recover components and commodities contained in mattresses for the purpose of reuse or recycling"

³ "Solid waste facility" is defined in statute as, "a solid waste facility as defined in Section 40194 that accepts, under its normal operating conditions, used mattresses from the public for collection, storing, and handling, whether for recycling or disposal."

may include but are not limited to: defining “recycling rate” based on a denominator of total used mattresses available for reuse/recycling/renovation, as well as considering goals for illegal dumping reduction and source reduction.

2018 Proposed State Mattress Recycling Baseline & Goals

	Baseline	Estimated Total by Goal Year			
	2016	2017	2018	2019	2020
Renovation					
Renovation goal ¹ (# of units)	150,000	150,000	150,000	150,000	150,000
Recycling					
Increase year-over-year recycling by 20% (# of units)	955,059	1,146,000	1,375,000	1,650,000	1,980,000
Contracted recyclers’ recycling rate by weight	63.61%	66%	69%	72%	75%
2020 Recycling Rate	n/a	n/a	n/a	n/a	TBD in 2020
Convenience					
Increase in the number of counties with no-cost drop-off locations statewide	43/58	49/58	58/58	58/58	58/58

¹ CalRecycle staff’s intent is to ensure the Program does not undermine existing refurbishing and reuse operations in California. More data is necessary to adequately track how the Program is impacting renovation.

For 2018, CalRecycle is seeking feedback from stakeholders, including but not limited to the following:

- Are there other goals the Department should consider for 2018? If so, what are they?
- Are there goals listed that the Department should *not* consider for 2018? If not, why?
- Are the year-over-year percentage increases reasonable and appropriate?
- Should renovation have a year-over-year percentage increase goal or a different type of goal? If percentage increase, what percentage is appropriate? If a different type of goal, what metric is appropriate? Note: “When calculating the state mattress recycling goals, the Department shall include renovated mattresses” per PRC 42987.5(a)(B)(2).
- Is the convenience goal reasonable? Should it include an increase in the total number of sites per county based on population or another metric?
- Should there be a goal for education and outreach? What are reasonable metrics from which such a goal could be measured?
- Should reducing illegal dumping be included in the 2018 baseline and goals setting? If so, what data source should be used?
- Should a market development goal specifically be set to incentivize secondary markets?
- What limitations do the proposed goals pose that the Department should be aware of?

For 2020, CalRecycle is seeking feedback from stakeholders, including but not limited to the following:

- How should the total used mattresses available for reuse/recycling/renovation be calculated? Should the calculation include a sales based formula?
- What goals should the Department consider for 2020? What additional data sources would be needed?

Statutory Background

The California Used Mattress Recovery and Recycling Act (Act) ([Chapter 388, Statutes of 2013, \[Hancock, SB 254\]](#)) was enacted to reduce illegal dumping, increase recycling, and substantially reduce public agency costs for the end-of-life management of used mattresses. The Act follows producer responsibility principles that require mattress manufacturers to develop, implement, and administer a mattress recycling program.

CalRecycle is required to establish, in consultation with the mattress recycling organization, the state mattress recycling baseline amount and state mattress recycling goals using methodology contained in the plan and information contained in the first annual report in accordance with the Act. Public Resources Code (PRC) §42987.5 states:

(a)(1) On or before January 1, 2018, based on methodology contained in the plan and information contained in the first annual report, the department, in consultation with the organization, and after taking into consideration relevant economic and practical considerations and other information, shall establish and make public the following:

(A) The state mattress recycling baseline amount.

(B) The state mattress recycling goals.

(2) When calculating the state mattress recycling goals, the department shall include renovated mattresses.

(b) Beginning July 1, 2019, and annually thereafter, the annual report required pursuant to Section 42990.1 shall demonstrate the mattress recycling organization's good faith effort to comply with the state mattress recycling goals established pursuant to this section.

(c) On or before July 1, 2020, and every four years thereafter, the department shall review, including reviewing for consistency with Section 41780.01, and update as necessary, the baseline amount and goals to ensure that the program advances the statewide recycling goal.

Data Collection to Support Development of Baseline and Goals

CalRecycle developed the Mattress Recovery and Recycling Program (MRRP) database to collect data that mattress renovators, recyclers, and solid waste facilities are required to submit pursuant to PRC §42991 and 14 CCR 18965-18967. Mattress recyclers and renovators are required to report the number of units (mattresses or foundations) received and identify from where they came, the quantities and weights of constituent parts recycled, and the number of units renovated and sold in California. Solid waste facilities must report the number of units received and the number of units landfilled or sent away to be recycled or renovated. CalRecycle provided this data to the Mattress Recycling Council (MRC) on June 8, 2017, to be incorporated into its first annual report. Staff developed the annual

reporting questions based on statute and in consultation with the MRC and stakeholders by sharing the questions with the reporting entities in advance of MRRP production.

During the development of the MRRP, staff identified 13 mattresses recyclers, 56 mattress renovators, and 509 solid waste facilities as potential reporting entities. These entities accept, under their normal operating conditions, used mattresses from the public, as defined in Public Resource Code (PRC) § 42986, regardless of whether or not they contract with the Mattress Recycling Council (MRC). The following details CalRecycle's outreach efforts to reach the reporting community:

- CalRecycle mattress staff coordinated with CalRecycle training and local assistance staff who distributed emails directly to Local Enforcement Agencies (LEAs) and all solid waste facility operators in the Solid Waste Information System (SWIS) database.
- CalRecycle staff conducted follow-up calls and emails after conducting extensive research to locate contact information.
- Notifications and reminder messages were distributed through the MRRP and the mattress listserv.
- CalRecycle presented on the new regulations/program and annual reporting requirements at: Enforcement Advisory Council meetings, LEA Roundtables, Environmental Services Joint Powers Authority (ESJPA), and an LEA Technical Training.
- Frequently Asked Questions were posted to CalRecycle's website to assist reporting entities.
- The California Refuse Recycling Council and the MRC sent informational messages to their members at CalRecycle's request.
- CalRecycle's Deputy Director of Materials Management and Local Assistance Division provided an update at the May 2017 CalRecycle Public Meeting reminding stakeholders of the annual report due date, requesting that the reports be submitted as soon as possible, and reminding stakeholders that the data will be used for baseline and goals setting.

To date, 11 recyclers, 6 renovators, and 332 solid waste facilities have submitted annual reports. A summary of the data collected can be seen in Appendix 2. Below is a summary of CalRecycle staff's confidence level that all of the entities that should be reporting per the law are doing so:

	Potential # Entities Required to Report	# Entities that Reported for 2016	Staff Confidence that all Entities Required to Report are Doing So
Recyclers	13	11	Low: There are only a few in the database that are not currently contracted with MRC. Staff believe there are more potential mattress recyclers in operation, such as recycling occurring at solid waste facilities.
Renovators	56	6	Low. Many renovators do not have websites and are difficult to find. Staff also believe there are more potential renovators in California for which we do not have information or data.
Solid Waste Facilities	509	332	Medium. Staff started out with a very large list of potential facilities and determined a large number were actually excluded. Staff believe there are still some solid waste facilities that accept mattresses which CalRecycle has not identified and some “non-reporters” that may be excluded (e.g., do not accept from the public).

In addition to the relatively low level of reporting and low confidence level that all of the entities that should be reporting per the law are doing so, other challenges associated with first year data collection and reporting are as follows:

- Entities reporting zeros due to not tracking for calendar year 2016
- Undeveloped conversion factors
- Inaccuracies from using estimates
- Potential double counting from transfer stations and landfills
- Confusion over reporting question/requirements

In order to ensure future data is more complete and accurate, CalRecycle staff will assist reporting entities in the following ways:

- Staff are preparing a questionnaire requesting entities to identify where they faced challenges during this reporting cycle.
- After responses from the above questionnaire are received, staff plan to record a MRRP/Annual Reporting training webinar to address the challenges identified.
- Staff will perform additional outreach and education to a wider group of solid waste facilities to determine if more are required to report, but are still unaware of this requirement.
- Staff are currently working with CalRecycle’s Information Technology branch to put together a list of possible additional entities who were not originally identified during the MRRP

development process (e.g., expanding the search criteria to include additional waste types including construction and demolition, inert materials, etc.)

- The Department is in the process of notifying the entities that have not reported of the requirements and associated penalties for non-compliance.

With these efforts, staff believe that future reporting will improve as more entities become familiar with their reporting obligations/requirements and consistent tracking methods are developed.